

### **REMARKS**

Claims 19-36 are pending in this application.

The Examiner objected to the declaration because none of the inventors signed the oath. The Examiner stated that a new oath or declaration identifying the application by application number and filing date in compliance with 37 CFR § 1.67(a) is required.

In response, Applicants respectfully submit that there are no deficiencies or inaccuracies present in the declaration filed on April 11, 2002 (a copy of which is attached hereto) by applicants' prior representatives. As is clearly shown, all of the inventors have signed this declaration.

Moreover, as discussed in MPEP § 602 VI, 37 CFR § 1.63 requires that an oath or declaration identify the specification to which it is directed. The following combinations of information supplied in an oath or declaration filed after the filing date of the application are acceptable as minimums for identifying a specification and compliance with any one of the items below will be accepted as complying with the identification requirement of 37 CFR § 1.63:

(A) application number (consisting of the series code and the serial number, e.g., 08/123,456);

(B) serial number and filing date;

(C) attorney docket number which was on the specification as filed;

(D) title of the invention which was on the specification as filed and reference to an attached specification which is both attached to the oath or declaration at the time of execution and submitted with the oath or declaration; or

(E) title of the invention which was on the specification as filed and accompanied by a cover letter accurately identifying the application for which it was intended by either the application number (consisting of the series code and the serial number, e.g., 08/123,456), or serial number and filing date. Absent any statement(s) to the contrary, it will be presumed that the application filed in the USPTO is the application which the inventor(s) executed by signing the oath or declaration.

MPEP § 602 VI .

The declaration filed on April 11, 2002 clearly meets the criteria for part (E) described above. It contains the title of the invention that was on the specification as filed on January 23, 2002 and the declaration was accompanied by a cover letter accurately describing the application by application number and filing date. For the above reasons, applicants respectfully request that the objection to the declaration be withdrawn.

The Examiner objected to the specification and Abstract. In response, Applicants have amended the Abstract to correct minor errors and improve readability. No new matter has been added.

Applicants have amended the claims to overcome the rejections under 35 USC § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which the applicants regard as the invention. No new matter has been added, nor has the scope of the claims been narrowed by these amendments.

Applicants note that MPEP § 2173.05(e) provides that "Obviously, however, the failure to provide explicit antecedent basis for terms does not always render a claim indefinite. If the scope of a claim would be reasonably ascertainable by those skilled in the art, then the claim is not indefinite. *Ex parte Porter*, 25 USPQ2d 1144, 1145 (Bd. Pat. App. & Inter. 1992) ("controlled stream of fluid" provided reasonable antecedent basis for "the controlled fluid"). Inherent components of elements recited have antecedent basis in the recitation of the components themselves. For example, the limitation "the outer surface of said sphere" would not require an antecedent recitation that the sphere has an outer surface."

Additionally, "The mere fact that a term or phrase used in the claim has no antecedent basis in the specification disclosure does not mean, necessarily, that the term or phrase is indefinite. There is no requirement that the words in the claim must match those used in the specification disclosure. Applicants are given a great deal of latitude in how they choose to

define their invention so long as the terms and phrases used define the invention with a reasonable degree of clarity and precision.” MPEP § 2173.05(e).

The Examiner stated the terms “as original requests,” “as new navigation components” and “as respective primary responses” in claims 19 and 29 were indefinite because it was not clear what these terms were referring to. Applicants respectfully traverse these rejections. “As original requests” refers to current requests for new connections. Support for this is found in the specification at page 4, line 23 – page 5, line 1. Those of ordinary skill in the art will appreciate that “original requests” are simply IP packets belonging to a single HTTP request as defined in RFC 1945, section 5 and RFC 2616, section 5.

Similarly, “as new navigation components” refers to current web page components indicating new addresses. Support for this is found in the specification at page 5, lines 1-3. Those of ordinary skill in the art will understand “new navigation components” to be instances of web page (HTML or similar) code segments that include references to Uniform Resource Identifiers (URIs, also known as Uniform Resource Locators, URLs) .

Finally, “as respective primary responses” refers to HTML data files relating to primary requests. Support for this is found in the specification on page 5, lines 10-11. Those of ordinary skill in the art will appreciate that “respective primary responses” are responses (as defined by HTTP RFCs 1945 and 2616) that are returned by an HTTP server in response to “primary requests.” “Primary requests” are those requests that are either linked to by respective navigation components (RNCs) marked as true, or those requests for which there are no RNCs, but which are of the type HTTP POST, or requests for HTML pages.

In view of the above, each of the claims in this application is in condition for allowance. Accordingly, applicants solicit early action in the form of a Notice of Allowance.

In the event that the transmittal letter is separated from this document and the Patent and Trademark Office determines that an extension and/or other relief is required, applicants petition

for any required relief including extensions of time and authorize the Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to Deposit Account No. 03-1952 referencing docket no. 546202000100.

Respectfully submitted,

Dated: June 6, 2006

By: Alex Chartove  
Alex Chartove  
Registration No. 31,942

Morrison & Foerster LLP  
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Telephone: (703) 760-7744  
Facsimile: (703) 760-7777

**Attachments: Abstract  
Copy of Declaration**



BOX MISSING PARTS

FILING RECEIPT

Attorney Docket No. 82363

Date: April 11, 2002

Attorney: HLN

In re Application of:

Noah AMIT et al.



Group Art Unit: 2152

Serial No. 10/052,349

Filed: January 23, 2002

For: METHOD OF SURVEILLING INTERNET COMMUNICATION

DOCUMENTS BEING FILED:

THE PTO STAMP HEREON ACKNOWLEDGES RECEIPT OF:

- (1) Transmittal Letter
- (2) Copy of Notice to File Missing Parts of Nonprovisional Application
- (3) Response to Notice to File Missing Parts of Nonprovisional Application
- (4) Executed Declaration and Power of Attorney; and
- (5) Check No. 16542 in the Amount of \$130.00 for the late filing of the Declaration.

NATH & ASSOCIATES PLLC  
1030 15<sup>th</sup> Street, N.W., 6<sup>th</sup> Floor  
Washington, D.C. 20005  
(202)-775-8383

FILE CHECK

Prepared by:

Approved by:

Copy reviewed:

Filed by:

Return to:

CP  
[Signature]  
CP  
[Signature]  
CP

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BOX MISSING PARTS  
Attorney Docket No. 82363

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Noah AMIT et al.

Group Art Unit: 2152

Serial No. 10/052,349

Filed: January 23, 2002

For: METHOD OF SURVEILLING INTERNET COMMUNICATION

TRANSMITTAL LETTER

Commissioner for Patents  
Washington, D.C. 20231

Sir:

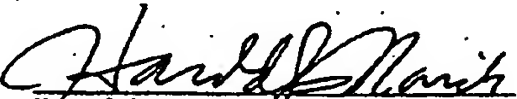
Submitted herewith for filing in the U.S. Patent and Trademark Office is the following:

- (1) Transmittal Letter
- (2) Copy of Notice to File Missing Parts of Nonprovisional Application
- (3) Response to Notice to File Missing Parts of Nonprovisional Application
- (4) Executed Declaration and Power of Attorney; and
- (5) Check No. 16542 in the Amount of \$130.00 for the late filing of the Declaration.

The Commissioner is hereby authorized to charge any deficiency or credit any excess to Deposit Account No. 14-0112.

Respectfully submitted,  
NATH & ASSOCIATES PLLC

By:

  
Harold L. Novick  
Registration No. 26,011  
Customer No. 20529

Date: April 11, 2002  
NATH & ASSOCIATES PLLC  
1030 15<sup>th</sup> Street N.W., 6<sup>th</sup> Floor  
Washington, D.C. 20005  
(202) 775-8383  
HLN/kp

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BOX MISSING PARTS  
Attorney Docket No. 82363

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Noah AMIT et al.

Group Art Unit: 2152

Serial No. 10/052,349

Filed: January 23, 2002

For: METHOD OF SURVEILLING INTERNET COMMUNICATION

RESPONSE TO NOTICE TO FILE MISSING PARTS

Commissioner for Patents  
Washington, D.C. 20231

Sir:

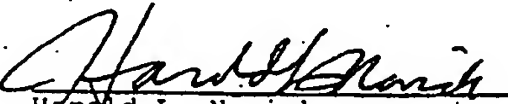
In response to the Notification of Missing Requirements of March 20, 2002, submitted herewith are the following:

- (1) Executed Declaration and Power of Attorney; and
- (2) Check No. 16542 in the Amount of \$130.00 for the late filing of the Declaration and Power of Attorney.

Respectfully submitted,

NATH & ASSOCIATES PLLC

By:

  
Harold L. Novick  
Registration No. 26,011  
Customer No. 20529

Date: April 11, 2002  
NATH & ASSOCIATES PLLC  
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## UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/052,349	01/23/2002	Noah Amit	82363

CONFIRMATION NO. 6407

## FORMALITIES LETTER



\*0C000000007674545\*

Harold L. Novick  
NATH & ASSOCIATES PLLC  
1030 15th Street, N.W.- 6th Floor  
Washington, DC 20005

Date Mailed: 03/20/2002

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR-1.53(b)

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given TWO MONTHS from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(f) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 130.

*A copy of this notice **MUST** be returned with the reply.*

  
Phuong Bui  
Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

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## DECLARATION FOR PATENT APPLICATION

Any Docket 82363

As a below-named inventor(s), I/we hereby declare that:

My/Our residence(s), post office address(es) and citizenship(s) is/are as stated below next to my/our name(s).

I/We believe I/we am/are the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter that is claimed, and for which a patent is sought on the invention entitled: METHOD OF SURVEILLING INTERNET COMMUNICATION  
the specification of which: (check one)

☐ is attached hereto.

☒ was filed on May 23, 2001, as Serial No. \_\_\_\_\_

and was amended on \_\_\_\_\_ (if applicable).

I/We hereby state that I/we have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I/We acknowledge the duty to disclose information which is material to the patentability of this application as defined by 37 CFR § 1.56.

I/We hereby claim foreign priority benefits under 35 U.S.C. § 119 of any foreign application(s) for patent or inventor's certificate listed below, and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

## Prior Foreign Applications:

			Priority Claimed
<u>136324</u>	<u>Israel</u>	<u>24/05/2000</u>	<input checked="" type="checkbox"/> <input type="checkbox"/>
(Application No.)	(Country)	(Day/Month/Year Filed)	Yes No
<u>          </u>	<u>          </u>	<u>          </u>	<input type="checkbox"/> <input type="checkbox"/>
(Application No.)	(Country)	(Day/Month/Year Filed)	Yes No
<u>          </u>	<u>          </u>	<u>          </u>	<input type="checkbox"/> <input type="checkbox"/>
(Application No.)	(Country)	(Day/Month/Year Filed)	Yes No

I/We hereby appoint Gary M. Nath, Reg. No. 26,965; Harold L. Novick, Reg. No. 26,011; Todd L. Juneau, Reg. No. 40,669; Lee C. Heiman, Reg. No. 41,827; Jerald L. Meyer, Reg. No. 41,194; Joshua B. Goldberg, Reg. No. 44,126; Nahied K. Usman, Reg. No. 47,148; Paul A. Sacher, Reg. No. 43,418; and David R. Murphy, Reg. No. 22,751, as my attorneys to prosecute this application and transact all business in the U.S. Patent and Trademark Office connected therewith.

## Direct Telephone Calls to:

Harold L. Novick  
(202) 775-8383

## Send Correspondence to:



020529

PATENT TRADEMARK OFFICE

NATH & ASSOCIATES  
1030 Fifteenth Street, N.W.  
Sixth Floor  
Washington, D.C. 20005 U.S.A.

I/We hereby claim the benefit under 35 U.S.C. § 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by 35 U.S.C. § 112, first paragraph, I/we acknowledge the duty to disclose material information as defined in 37 CFR § 1.56 which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

(U.S. Application Serial No.)

(U.S. Filing Date)

(Status—patented, pending, abandoned)

(U.S. Application Serial No.)

(U.S. Filing Date)

(Status—patented, pending, abandoned)

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DECLARATION FOR PATENT APPLICATION

Docket No. 82363

PAGE 2

I/We hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements are made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. § 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of sole or first inventor: Noah AMIT

Inventor's Signature [Signature] Date 30.1.02

Residence: 20 D'Israeli Street, Haifa 34334, Israel

Citizenship: Israeli

Post Office Address: as above

Full name of second inventor: Yoni AMIT

Inventor's Signature [Signature] Date 30.1.02

Residence: 20 D'Israeli Street, Haifa 34334, Israel

Citizenship: Israeli

Post Office Address: as above

Full name of third inventor: Zvi EADAN

Inventor's Signature [Signature] Date 30.1.02

Residence: 20 Hagolan Street, Yarm 81504, Israel

Citizenship: Israeli

Post Office Address: as above

Full name of fourth inventor: \_\_\_\_\_

Inventor's Signature \_\_\_\_\_ Date \_\_\_\_\_

Residence: \_\_\_\_\_

Citizenship: \_\_\_\_\_

Post Office Address: \_\_\_\_\_

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